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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER	
DUONG, THOMAS	
ART UNIT	**PAPER NUMBER**
2145	

DATE MAILED: 07/27/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/693,132	ROESTENBURG ET AL.	
	Examiner	Art Unit	
	Thomas Duong	2145	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *26 April 2005*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-23, 27-33, and 55-85* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-23, 27-33, and 55-85* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. This office action is in response to the applicants Amendment filed on April 26, 2005. Applicant amended *claims 1-2, 6, 9, 12-13, 17, 20, 23, 28, 31, 55-56, 60, 63, 65-68, 73, 78, and 83-85. Claims 1-23, 27-33, and 55-85* are presented for further consideration and examination.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. *Claims 1, 4-10, 12, 15-21, 23, 27-32, 55 and 58-85* are rejected under 35 U.S.C. 102(e) as being anticipated by Challenger et al. (US006725265B1).

4. With regard to *claims 1, 12, 23, 55, 65-67 and 83-85*, Challenger discloses,

- *a client equipment (client 102) unit capable of communicating with a content providing server (server 104) for providing web content;* (Challenger, col.5, lines 34-39, line 40; module 102, fig.1)

Challenger teaches of a client-server system where *"the client 102 obtains information from the server 104"* (Challenger, col.5, line 40).

- *a data manipulation server (cache 106) disposed in-line between the client equipment unit and the content providing server, the data manipulation server being remote from the client equipment unit, the data manipulation server being coupled to a data store arranged to store personal data relating to a user of the client equipment unit; wherein* (Challenger, col.1, line 42 – col.3, line 19; col.4, lines 18-24, lines 40-45; col.5, lines 34-48; col.9, lines 1-5; module 106, fig.1)

Challenger teaches of a client-server system where *cache 106* stores customized information relating to the *client 102*. According to Challenger, *"the at least one customized block is one of created and retrieved based upon the identity of the at least one client"* (Challenger, col.2, lines 33-35). It is also clear from figure 1 that the *cache 106* is situated between the *client 102* and the *server 104*. In particular, according to Challenger, *"the method further includes the steps of receiving at least one request for information from the at least one client by the at least one cache"* (Challenger, col.1, line 65 – col.2, line 2). Furthermore, according to Challenger, *"the client 102 obtains information from the server 104, [but, in order] ... to reduce the overhead for such accesses, information from the server 104 may be stored in the cache 106. The client 102 would then be able to obtain cached information from the server 104 with considerably less overhead. One of the main features of the invention is the ability of the cache 16 to customize information sent to the client 102"* (Challenger, col.5, lines 40-48). There is no teaching in Challenger of the cache 106 being local to the client either. In fact, it is well known the in the art that service providers situate their

cache servers at the earliest point in their organization to reduce overhead otherwise caused by the repetitive data being requested to their internal networks. Furthermore, according to Challenger, *"the customized block is created and pre-stored at a location within the cache 106 or a location external to the cache 106 (e.g., memory device (not shown) of the server 104 or another server)"* (Challenger, col.9, lines 1-5).

- *the data manipulation server is adapted to modify data communicated between the client equipment unit and the content providing server in dependence on the data relating to the user in response to the personal data manipulation server intercepting a request message for obtaining the content, the request message being transmitted from the client equipment unit and addressed to the content providing server.* (Challenger, col.1, lines 27-29; col.2, lines 52-54; col.3, lines 5-15; col.5, lines 11-12; col.9, lines 16-17, lines 54-56; module 518, fig.5; module 646, fig.6)

  Challenger teaches of a client-server system where *cache* 106, which is situated between the *client 102* and the *server 104*, is designed for the purpose of customizing *"information by inserting at least one customized block into at least one customizable template"* (Challenger, col.3, lines 10-12) before the *"requested (customized) information is returned to the client"* (Challenger, col.9, lines 54-56).

5. With regard to claims 4-5, 15-16, 27 and 58-59, Challenger discloses,

- *wherein the modified web data is data providing the content* (Challenger, col.1, lines 27-29; col.2, lines 52-54; col.3, lines 5-15; col.5, lines 11-12; col.9, lines 16-17, lines 54-56; module 518, fig.5; module 646, fig.6)

Challenger teaches of a client-server system where *cache* 106, which is situated between the *client 102* and the *server 104*, is designed for the purpose of customizing *"information by inserting at least one customized block into at least one customizable template"* (Challenger, col.3, lines 10-12) before the *"requested (customized) information is returned to the client"* (Challenger, col.9, lines 54-56).

- *wherein the data providing the content is Hyper Text Mark-up Language (HTML) data.* (Challenger, col.1, lines 27-29; col.2, lines 52-54; col.3, lines 5-15; col.5, lines 11-12; col.9, lines 16-17, lines 54-56; module 518, fig.5; module 646, fig.6)
  Challenger teaches of a client-server system where *cache* 106, which is situated between the *client 102* and the *server 104*, is designed for the purpose of customizing *"information by inserting at least one customized block into at least one customizable template"* (Challenger, col.3, lines 10-12) before the *"requested (customized) information is returned to the client"* (Challenger, col.9, lines 54-56).

6. With regard to <u>*claims 6-8, 17-19, 28-30 and 60-62*</u>, Challenger discloses,

- *wherein the data relating to the user is static data.* (Challenger, col.4, lines 40-49; col.6, lines 6-20, lines 31-38; col.7, line 62 – col.8, line 22)
  Challenger teaches of a client-server system where *cache* 106, which is situated between the *client 102* and the *server 104*, is designed for the purpose of customizing *"information by inserting at least one customized block into at least one customizable template"* (Challenger, col.3, lines 10-12) before the *"requested (customized) information is returned to the client"* (Challenger, col.9, lines 54-56).
  Furthermore, the customized block can be either static or dynamic.

- *wherein the static data is obtained from the user.* (Challenger, col.4, lines 40-49; col.6, lines 6-20, lines 31-38; col.7, line 62 – col.8, line 22)

  Challenger teaches of a client-server system where *cache* 106, which is situated between the *client 102* and the *server 104*, is designed for the purpose of customizing *"information by inserting at least one customized block into at least one customizable template"* (Challenger, col.3, lines 10-12) before the *"requested (customized) information is returned to the client"* (Challenger, col.9, lines 54-56). Furthermore, the customized block can be either static or dynamic.

7. With regard to claims 9-10, 20-21, 31-32 and 63-64, Challenger discloses,

- *wherein the data relating to the user is dynamic data.* (Challenger, col.4, lines 40-49; col.6, lines 6-20, lines 31-38; col.7, line 62 – col.8, line 22)

  Challenger teaches of a client-server system where *cache* 106, which is situated between the *client 102* and the *server 104*, is designed for the purpose of customizing *"information by inserting at least one customized block into at least one customizable template"* (Challenger, col.3, lines 10-12) before the *"requested (customized) information is returned to the client"* (Challenger, col.9, lines 54-56). Furthermore, the customized block can be either static or dynamic.

- *wherein the dynamic data is obtained from an access or service provider associated with supporting communications between the client equipment unit and the content providing server.* (Challenger, col.4, lines 40-49; col.6, lines 6-20, lines 31-38; col.7, line 62 – col.8, line 22)

  Challenger teaches of a client-server system where *cache* 106, which is situated between the *client 102* and the *server 104*, is designed for the purpose of

customizing *"information by inserting at least one customized block into at least one customizable template"* (Challenger, col.3, lines 10-12) before the *"requested (customized) information is returned to the client"* (Challenger, col.9, lines 54-56). Furthermore, the customized block can be either static or dynamic.

8. With regard to *claims 68-70, 73-75 and 78-80*, Challenger discloses,

- *wherein the data manipulation server is arranged to modify the data communicated between the client equipment and the content providing server in dependence on a selected subset of the data relating to a user stored in the data store.* (Challenger, col.4, lines 40-49; col.6, lines 6-20, lines 31-38; col.7, line 62 – col.8, line 22)

  Challenger teaches of a client-server system where *cache* 106, which is situated between the *client 102* and the *server 104*, is designed for the purpose of customizing *"information by inserting at least one customized block into at least one customizable template"* (Challenger, col.3, lines 10-12) before the *"requested (customized) information is returned to the client"* (Challenger, col.9, lines 54-56). Furthermore, the customized block can be either static or dynamic.

- *wherein the data manipulation server is arranged to request the user of the client equipment unit to select the subset in response to intercepting the request message.* (Challenger, col.4, lines 40-49; col.6, lines 6-20, lines 31-38; col.7, line 62 – col.8, line 22)

  Challenger teaches of a client-server system where *cache* 106, which is situated between the *client 102* and the *server 104*, is designed for the purpose of customizing *"information by inserting at least one customized block into at least*

one customizable template" (Challenger, col.3, lines 10-12) before the *"requested (customized) information is returned to the client"* (Challenger, col.9, lines 54-56). Furthermore, the customized block can be either static or dynamic.

- *wherein the data manipulation server is arranged to determine the subset in dependence on at least one rule of a user defined rule set, the at least one rule applying to the content providing server.* (Challenger, col.4, lines 40-49; col.6, lines 6-20, lines 31-38; col.7, line 62 – col.8, line 22)

  Challenger teaches of a client-server system where *cache* 106, which is situated between the *client 102* and the *server 104*, is designed for the purpose of customizing *"information by inserting at least one customized block into at least one customizable template"* (Challenger, col.3, lines 10-12) before the *"requested (customized) information is returned to the client"* (Challenger, col.9, lines 54-56). Furthermore, the customized block can be either static or dynamic.

9. With regard to *claims 71-72, 76-77 and 81-82*, Challenger discloses,

- *wherein the data manipulation server is operated by an access or service provider associated with supporting communications between the client equipment unit and the content providing server.* (Challenger, col.4, lines 40-49; col.6, lines 6-20, lines 31-38; col.7, line 62 – col.8, line 22)

  Challenger teaches of a client-server system where *cache* 106, which is situated between the *client 102* and the *server 104*, is designed for the purpose of customizing *"information by inserting at least one customized block into at least one customizable template"* (Challenger, col.3, lines 10-12) before the *"requested*

(customized) information is returned to the client" (Challenger, col.9, lines 54-56). Furthermore, the customized block can be either static or dynamic.

- *wherein the data manipulation server is arranged to modify the data communicated between the client equipment and the content providing server in dependence on a selected subset of the data relating to a user stored in the data store.* (Challenger, col.4, lines 40-49; col.6, lines 6-20, lines 31-38; col.7, line 62 – col.8, line 22)

  Challenger teaches of a client-server system where *cache* 106, which is situated between the *client 102* and the *server 104*, is designed for the purpose of customizing *"information by inserting at least one customized block into at least one customizable template"* (Challenger, col.3, lines 10-12) before the *"requested (customized) information is returned to the client"* (Challenger, col.9, lines 54-56). Furthermore, the customized block can be either static or dynamic.

Claim Rejections - 35 USC § 103

10. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

11. *Claims 2-3, 11, 13-14, 22, 33 and 56-57* are rejected under 35 U.S.C. 103(a) as being unpatentable over Challenger et al. (US006725265B1) and in view of Cohen et al. (US006330561B1).

12. With regard to *claims 2-3, 13-14 and 56-57*, Challenger discloses,

See *claims 1, 12 and 55* rejection as detailed above.

However, Challenger does not explicitly disclose,

- *wherein the modified data is the request message which is modified thereby to personalise the content to be obtained by the client equipment.*
- *wherein the request message is a Hyper Text Transfer Protocol (HTTP) request message.*

Cohen teaches,

- *wherein the modified data is the request message which is modified thereby to personalise the content to be obtained by the client equipment.* (Cohen, col.2, line 55 – col.3, line 29; col.3, lines 3-10; col.4, lines 23-37; module t1, fig.3; module 404, fig.4)

  Cohen teaches of modifying the original HTTP resource request message from the client by appending a proxy filter for the purpose of requesting additional information and forwarding it to the resource server. *"The resource server then supplies the response to the request and the additional resource"* (Cohen, col.4, lines 35-37). According to Cohen, *"the resources in a given volume are deemed to be related to one another according to one or more criterion, ... [and that] another possible criterion relates to the content type of the resource"* (Cohen, col.2, lines 56-66). According to Cohen, *"the resource server then identifies a set of additional resources which would constitute one or more resources that are related to the requested resource because they are contained in the same volume and because they satisfy the proxy filter which was forwarded with the resource request"* (Cohen, col.4, lines 30-35). Hence, Cohen implies of

modifying the request to provide additional information relating to the request and ultimately the requestor.

- *wherein the request message is a Hyper Text Transfer Protocol (HTTP) request message.* (Cohen, col.3, lines 3-10; col.4, lines 23-37; module t1, fig.3; module 404, fig.4)

  Cohen teaches of modifying the original HTTP resource request message from the client by appending a proxy filter for the purpose of requesting additional information and forwarding it to the resource server. *"The resource server then supplies the response to the request and the additional resource"* (Cohen, col.4, lines 35-37).

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the Cohen reference with the Challenger reference to present *"an approach [that] is benefit to the proxy cache in the sense that it helps the proxy cache determine the validity of certain of its contents"* (Cohen, col.2, lines 38-40) by providing *"additional resources which is related to the initial request either in content or by its location"* (Cohen, lines 45-46).

13. With regard to *claims 11, 22 and 33*, Challenger discloses,

See *claims 1, 12 and 23* rejection as detailed above.

However, Challenger does not explicitly disclose,

- *wherein the data manipulation server is a proxy server.*

Cohen teaches,

- *wherein the data manipulation server (proxy cache 106) is a proxy server.*

(Cohen, col.3, lines 3-10; col.4, lines 23-37; module t1, fig.3; module 404, fig.4)

Cohen teaches of the proxy cache server modifying the original HTTP resource request message from the client by appending a proxy filter for the purpose of requesting additional information and forwarding it to the resource server. *"The resource server then supplies the response to the request and the additional resource"* (Cohen, col.4, lines 35-37). Furthermore, it is well known in the networking art that the proxy server can also be a cache server as taught in Challenger.

Therefore, it would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the Cohen reference with the Challenger reference to present *"an approach [that] is benefit to the proxy cache in the sense that it helps the proxy cache determine the validity of certain of its contents"* (Cohen, col.2, lines 38-40) by providing *"additional resources which is related to the initial request either in content or by its location"* (Cohen, lines 45-46).

Response to Arguments

14. Applicant's arguments with respect to *1-2, 6, 9, 12-13, 17, 20, 23, 28, 31, 55-56, 60, 63, 65-68, 73, 78, and 83-85* have been considered but they are not persuasive.

15. With regard to *claims 1, 12, 23, 55, 65-67, and 83-85*, the Applicants point out that:

- *However, the customized Information is clearly not personal data relation to the user o-f-the client equipment unit as presently claimed. Rather, the customized information relating to the client 102 is content to be provided to the user. There is a clear distinction between the personalized content which is to be provided and the personal data relating to the user which enables such personalization.*

- *Applicants have carefully checked each of the references cited by the Examiner but there is no indication that the cache 106 intercepts any request messages addressed to the content providing server.*
- *Furthermore, there is no teaching in Challenger that cache 106 is remote from the client equipment unit as presently claimed... Thus, Challenger appears to teach away from the claimed invention of using a data manipulation server which is not only disposed in-line between the client equipment unit and the content providing server but also is remote from the client equipment unit.*

However, the Examiner finds that the Applicants' arguments are not persuasive and maintains that Challenger discloses,

- *a client equipment (client 102) unit capable of communicating with a content providing server (server 104) for providing web content;* (Challenger, col.5, lines 34-39, line 40; module 102, fig.1)

  Challenger teaches of a client-server system where *"the client 102 obtains information from the server 104"* (Challenger, col.5, line 40).
- *a data manipulation server (cache 106) disposed in-line between the client equipment unit and the content providing server, the data manipulation server being remote from the client equipment unit, the data manipulation server being coupled to a data store arranged to store personal data relating to a user of the client equipment unit; wherein* (Challenger, col.1, line 42 – col.3, line 19; col.4, lines 18-24, lines 40-45; col.5, lines 34-48; col.9, lines 1-5; module 106, fig.1)

  Challenger teaches of a client-server system where *cache 106* stores customized information relating to the *client 102*. According to Challenger, *"the at least one customized block is one of created and retrieved based upon the identity of the at*

least one client" (Challenger, col.2, lines 33-35). It is also clear from figure 1 that the *cache 106* is situated between the *client 102* and the *server 104*. In particular, according to Challenger, *"the method further includes the steps of receiving at least one request for information from the at least one client by the at least one cache"* (Challenger, col.1, line 65 – col.2, line 2). Furthermore, according to Challenger, *"the client 102 obtains information from the server 104, [but, in order] ... to reduce the overhead for such accesses, information from the server 104 may be stored in the cache 106. The client 102 would then be able to obtain cached information from the server 104 with considerably less overhead. One of the main features of the invention is the ability of the cache 16 to customize information sent to the client 102"* (Challenger, col.5, lines 40-48). There is no teaching in Challenger of the cache 106 being local to the client either. In fact, it is well known the in the art that service providers situate their cache servers at the earliest point in their organization to reduce overhead otherwise caused by the repetitive data being requested to their internal networks. Furthermore, according to Challenger, *"the customized block is created and pre-stored at a location within the cache 106 or a location external to the cache 106 (e.g., memory device (not shown) of the server 104 or another server)"* (Challenger, col.9, lines 1-5).

- *the data manipulation server is adapted to modify data communicated between the client equipment unit and the content providing server in dependence on the data relating to the user in response to the personal data manipulation server intercepting a request message for obtaining the content, the request message being transmitted from the client equipment unit and addressed to the content*

providing server. (Challenger, col.1, lines 27-29; col.2, lines 52-54; col.3, lines 5-15; col.5, lines 11-12; col.9, lines 16-17, lines 54-56; module 518, fig.5; module 646, fig.6)

Challenger teaches of a client-server system where *cache* 106, which is situated between the *client 102* and the *server 104*, is designed for the purpose of customizing *"information by inserting at least one customized block into at least one customizable template"* (Challenger, col.3, lines 10-12) before the *"requested (customized) information is returned to the client"* (Challenger, col.9, lines 54-56). Therefore, the Applicants still failed to clearly disclose the novelty of the invention and identify specific limitation, which would define patentable distinction over prior art.

Conclusion

16. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

17. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thomas Duong whose telephone number is 571/272-3911. The examiner can normally be reached on M-F 7:30AM - 4:00PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Valencia Martin-Wallace can be reached on 571/272-6159. The fax phone numbers for the organization where this application or proceeding is assigned are 703/872-9306 for regular communications and 703/872-9306 for After Final communications.

Thomas Duong (AU2145)

July 22, 2005

JASON CARDONE
PRIMARY EX
AU:2145